REMARKS/ARGUMENTS

Claims

Claims 5-7, 9, 10, 12, 13, 15, 18, 19, 21, 22, 24 and 25 have been amended. Claims 1-4, 8, 11, 14, 16-17, 20 and 23 are unchanged. Claims 1 -25 remain pending in the application.

Claim Rejections – 35 USC § 112

Claims 1-25 are rejected by the Examiner under *35 USC § 112*. Specifically the Examiner refers to the independent claims 1 and 17 that respectively cite "obtaining pre-defined modulated transmission protocol bits stored in a memory" and "a memory storing pre-defined modulated transmission protocol bits". The Examiner is of the opinion that the pre-defined modulated transmission protocol bits referred to in independent claims 1 and 17 are not described in the specification in such a way as to enable one skilled in the art to make and/or use the invention.

Applicant respectfully disagrees with this position, on page 10 lines 6-7 it is stated that the invention "alleviates the need to continuously modulate, filter and shape **known**, non-variable data independent preamble and header protocol bits". The **known**, non-variable data independent preamble and header protocol bits are the pre-defined modulated transmission protocol bits that are described in the specification (page 7 line 28 to page 8 line 15). It is well known that modulated signals can be simulated, or observed (for instance on a spectrum analyser or oscilloscope) or digitally stored. Hence, the pre-defined modulated transmission protocol bits can be easily obtained for instance by simulation or by actually modulating the limited number of possible protocol transmission bit sequences and then storing the modulated bits for future use.   Accordingly, it is submitted that a one skilled in the art could have easily known how to make and/or use the pre-defined modulated transmission protocol bits as cited in claims 1 and 17.

Regarding Claims 5-7, 15,18 and 19, the phrase "the synchronization sequence" now reads " a synchronization sequence". Accordingly, the rejection of Claims 5-7, 15,18 and 19 under *35 USC § 112* based on lack of antecedent basis no longer applies.

Regarding Claims 9, 10, 21 and 22, the phrase "the packet length information" now reads "packet length information". Accordingly, the rejection of Claims 9,10,21 and 22 under *35 USC § 112* based on lack of antecedent basis no longer applies.

Regarding Claims 12, 13, 24 and 25, the phrase "the data rate information" now reads "data rate information". Accordingly, the rejection of Claims 12, 13, 24 and 25 under *35 USC § 112* based on lack of antecedent basis no longer applies.

Conclusion

The applicant asserts that the application is now in condition for allowance. Reconsideration and allowance of the application is respectfully solicited.

No amendment made was related to the statutory requirements of patentability unless expressly stated herein. No amendment made was for the purpose of narrowing the scope of any claim, unless applicant has argued herein that such amendment was made to distinguish over a particular reference or combination of references.

If the Examiner believes that there are any informalities which can be corrected by Examiner's amendment, or in the event that the Examiner deems the present application non-allowable, a telephone call to the undersigned is respectfully solicited.

Please charge any fees that may be due to Deposit Account 502117, Motorola, Inc.

Respectfully submitted,
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